

**Before the
Federal Communications Commission**

In the Matter of)	
)	
Implementation of the)	
Telecommunications Act of 1996:)	Docket No. 96-115
Telecommunications Carriers' Use of)	
Customer Proprietary Network)	RM11277
Information and other Customer)	
Information; Petition for Rulemaking to)	
Enhance Security and Authentication)	
Standards for Access to Customer)	
Proprietary Network Information)	

**Comments of the American Association of People With Disabilities (AAPD),
American Council of the Blind (ACB), and the National Spinal Cord Injury
Association (NSCIA)**

In regard to this rulemaking (RM 11277) and the Notice of Proposed Rulemaking (FCC 06-10, docket number FCC 96-115), the American Association of People with Disabilities (AAPD), American Council of the Blind (ACB), and the National Spinal Cord Injury Association (NSCIA) have become aware recently of a proposed solution to the issue of pretexting. The AAPD and the coalition's overarching concern is with accessibility and usability of telecommunications services for persons with disabilities. We apologize for filing late and ask the Commission's forbearance with this.

Our understanding is that there is a proposal at the Commission to suggest additional safeguards for carriers to prevent pretexting. One of these recommendations is to require carriers to have mandatory passwords for all customer accounts. While pretexting is a serious matter, and is of concern to the millions of Americans with disabilities, we assert that

- A. A requirement for a mandatory password on all customer accounts may create accessibility and usability barriers for many persons with disabilities; and

B. Notices to Consumers on an Opt-In Must be Available in Accessible Format.

Specifically, we believe that a requirement that “everyone must use passwords” will prevent some people with disabilities from accessing the information they need to effectively manage cost and usage or to make changes to an account. Inability to access one’s account presents individuals with disabilities barriers to both accessibility and usability of telecommunications. Therefore, we assert that any requirements for carriers to adopt passcodes should be opt-in and use of passcodes should be a voluntary selection for the customer. Furthermore, notices asking customers of their choice must be available in accessible format.

Barriers for Persons with Disabilities

Mandatory passwords are problematic for some people with disabilities for several reasons. Mandatory passwords will usually involve some sort of Automated Response Unit (ARU) because sharing a password with another person, even a customer care representative, involves some degree of security compromise. The problems for persons with disabilities are as follows:

1. If the customer needs to interact with an ARU, that person must be able to hear well enough to respond to an automated prompt (difficult or impossible for people who have a hearing loss, such as some users of hearings aids and implants);
2. Connecting with the ARU may be virtually impossible for TTY users who rely on Telecommunications Relay Service as it is unlikely the ARU will connect well using all available forms of TRS.
3. Remembering a password is likely to be a barrier for people who have cognitive disabilities such as conditions resulting from stroke, developmental delays, learning disabilities, and head injuries;
4. Keying in a series of letters or numbers – sometimes with an automated time out – is likely to be a significant barrier for people who

- have mobility/dexterity disabilities either as a result of a medical condition or injury;
5. Persons with speech disabilities who cannot speak a series of numbers or letters – that they may face with ARU prompts – and will encounter difficulties since the articulation required may be difficult or impossible for many people with speech disabilities;
 6. Persons with multiple or diverse disabilities, for instance someone with a vision disability combined with secondary conditions, such is common to aging persons, may simply not be able to “communicate” with the ARU at all;

The most accessible ARUs present problems for those who rely on voice dialing, have a hearing loss or limited dexterity or use TTYs. Furthermore, even when an individual can bypass the ARU and work with a live customer care associate in real-time, remembering pass codes or being able to state a password in correct sequence -- especially if a numeric one is required --can be quite challenging if not impossible for people who have cognitive issues, serious speech disabilities or age related functional limitations.

Notices to Consumers on Opt-In Must be Available in Accessible Format

We note that Section 255 of the Communications Act requires telecommunications providers to ensure information and document about products and services in alternate formats;¹ we would therefore expect any notifications to consumers about this information (i.e., changes in how to access customer support services) to comply with this requirement.

Therefore AAPD and the organizations listed below urge the Commission to adopt an opt-in approach for passwords that would provide additional safeguards for those concerned about pretexting without posing access issues for individuals with disabilities. We also expect to see any

¹See at 47 CFR, Part 6.11 and Part 7.11.

notifications to consumers about this also be made available in alternate format.

Sincerely,

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